

EXHIBIT A

SUMMONS

Attorney(s) Mr. KatzOffice Address 5 James StreetTown, State, Zip Code Lakewood NJ 08701

Telephone Number _____

Attorney(s) for Plaintiff _____

Superior Court of
New JerseyOcean ☒ County

Division _____

Docket No: L-3065-19

Mr. Katz

Plaintiff(s)

vs.

Ambit Energy

Defendant(s)

THIS PROCESS WAS DELIVERED
AT 1237 O'clock P IN
THIS 8 DAY OF Jan 20 20 CIVIL ACTION
CONSTABLE PRECINCT 1
DALLAS COUNTY, TEXAS
BY DEPUTY: [Signature] # 135
SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.

Clerk of the Superior Court

DATED: 12/12/2019Name of Defendant to Be Served: Ambit EnergyAddress of Defendant to Be Served: 1801 N. Lamar Street Suite 600 Dallas TX 75202

Mr. Katz
5 James Street
Lakewood, NJ 08701

MR. KATZ

Plaintiff,

**AMBIT ENERGY,
Defendant.**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, OCEAN COUNTY**

**Civil Action
Docket No.**

L 3065-19

SUMMONS AND COMPLAINT

FIRST COUNT

Unlawful Enrichment

1. Plaintiff is an individual that has a longstanding account with New Jersey Natural Gas Company.
2. In 2013, the Defendant unlawfully added Plaintiff's account to their roster of clients that they service with their natural gas needs.
3. This was done without the Plaintiff's acceptance and knowledge to the Defendant's benefit.
4. This constitutes theft and unlawful enrichment on the Defendant's part.
5. The cost to the Plaintiff was more than it would have been without the Defendant's services.
6. This act of theft and unlawful enrichment caused damages to the Plaintiff.

WHEREFORE, Plaintiff demands;

- a) Damages
- b) Punitive damages in the amount of \$150,000
- c) Court costs
- d) Any other remedies that the Court deems just.

SECOND COUNT

Unlawful Enrichment

1. Plaintiff repeats all the allegations set forth in the First Count of the Complaint.
2. From January 2014 through December 2014 the defendant unlawfully put the plaintiff down as their client to charge them a "Delivery/Supply" charge to the plaintiff's detriment.

WHEREFORE, Plaintiff demands;

- a) Damages
- b) Punitive damages in the amount of \$150,000
- c) Court costs
- d) Any other remedies the court deems just.

THIRD COUNT

Unlawful Enrichment

1. Plaintiff repeats all the allegations set forth in the First and Second Count of the Complaint.
2. From January 2015 through December 2015 the defendant unlawfully put the plaintiff down as their client to charge them a "Delivery/Supply" charge to the plaintiff's detriment.

WHEREFORE Plaintiff demands;

- a) Damages
- b) Punitive damages in the amount of \$150,000
- c) Court costs
- d) Any other remedies the court deems just.

FOURTH COUNT

Unlawful Enrichment

1. The plaintiff repeats all the allegations set forth in the First, Second, and Third Counts of the Complaint.
2. In 2016 the defendant unlawfully put the plaintiff down as their client to charge them a "Delivery/Supply" charge to the plaintiff's detriment.

WHEREFORE Plaintiff demands;

- a) Damages
- b) Punitive damages in the amount of \$150,000
- c) Court Costs
- d) Any other remedy the court deems just.

FIFTH COUNT

Consumer Fraud

1. Plaintiff repeats all the allegations set forth in the First thru Fourth Counts of the Complaint.
2. Defendant's actions constitute a violation of the consumer fraud statute.

WHEREFORE, Plaintiff demands;

- a) Damages
- b) Punitive damages in the amount of \$150,000
- c) Court costs.
- d) Any other remedies that the court deems just.

SIXTH COUNT

1. Plaintiff repeats all the allegations set forth in the First thru Fifth Counts of the complaint.
2. Defendants actions with intent to charge and defraud the plaintiff constitute fraud.
3. Defendants fraudulent actions make the defendant liable for treble damages.

WHEREFORE, Plaintiff demands;

- a) Damages
- b) Punitive damages in the amount of \$150,000
- c) Court Costs
- d) Any other remedies the court deems just.

SEVENTH COUNT

Invasion of Privacy

1. Plaintiff repeats all the allegations set forth in the First thru Sixth Counts of the complaint.
2. Defendant's action of accessing the plaintiff's consumer account with NJNG constitutes an invasion of the plaintiff's privacy.

WHEREFORE, Plaintiff demands:

- a) Damages
- b) Punitive damages in the amount of \$150,000
- c) Court Costs
- d) Any other remedies the court deems just.



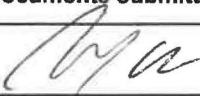
CERTIFICATION PURSUANT TO RULE 4:5-1

Plaintiff, Mr. Katz hereby certifies that the matter in controversy is not subject to any other pending action in any other court, and is likewise not the subject of any pending arbitration proceeding. Plaintiff further certifies that he has no knowledge of any contemplated action or arbitration proceeding in this matter.


Marcel Katz

Plaintiff-Pro Se

Appendix XII-B1

	Civil Case Information Statement (CIS)		For Use by Clerk's Office Only	
	Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed		Payment type: <input type="checkbox"/> ck <input type="checkbox"/> cg <input type="checkbox"/> ca	
			Chg/Ck Number:	
			Amount:	
			Overpayment:	
		Batch Number:		
Attorney/Pro Se Name Mr. Katz		Telephone Number		County of Venue
Firm Name (if applicable)			Docket Number (when available)	
Office Address 5 James Street Lakewood NJ 08701			Document Type Complaint	
			Jury Demand <input type="checkbox"/> Yes <input type="checkbox"/> No	
Name of Party (e.g., John Doe, Plaintiff) Mr. Katz		Caption Mr. Katz vs Ambit Energy		
Case Type Number (See reverse side for listing)		Is this a professional malpractice case? <input type="checkbox"/> Yes <input type="checkbox"/> No If you have checked "Yes," see N.J.S.A. 2A:53A-27 and applicable case law regarding your obligation to file an affidavit of merit.		
Related Cases Pending? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If "Yes," list docket numbers		
Do you anticipate adding any parties (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Name of defendant's primary insurance company (if known) <input type="checkbox"/> None <input checked="" type="checkbox"/> Unknown		
The Information Provided on This Form Cannot be Introduced into Evidence.				
Case Characteristics for Purposes of Determining if Case is Appropriate for Mediation				
Do parties have a current, past or recurrent relationship? <input type="checkbox"/> Yes <input type="checkbox"/> No		If "Yes," is that relationship: <input type="checkbox"/> Employer/Employee <input type="checkbox"/> Friend/Neighbor <input type="checkbox"/> Other (explain) <input type="checkbox"/> Familial <input type="checkbox"/> Business		
Does the statute governing this case provide for payment of fees by the losing party? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition				
	Do you or your client need any disability accommodations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, please identify the requested accommodation:	
	Will an interpreter be needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, for what language?	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .				
Attorney Signature: 				12/10/19